

JS 44C/SDNY
REV. 12/2005

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS INFORMAL NOTEHOLDER GROUP

DEFENDANTS LEHMAN BROTHERS HOLDINGS, INC.
LB745 LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

AKIN GUMP STRAUSS HAUER & FELD LLP
ONE BRYANT PARK
NEW YORK, NY 10036

ATTORNEYS (IF KNOWN)

WEIL GOTSHAL & MANGES LLP
767 FIFTH AVENUE
NEW YORK, NY 10153

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

See Attachment A

Has this or a similar case been previously filed in SDNY at any time? No ☐ Yes? ☒ Judge Previously Assigned KOETL

If yes, was this case Vol ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. 08-cv-8914

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

08-13555 #258

TORTS		FORFEITURE/PENALTY		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 INSURANCE	<input type="checkbox"/> 310 AIRPLANE	<input type="checkbox"/> 362 PERSONAL INJURY -	<input type="checkbox"/> 810 AGRICULTURE	<input checked="" type="checkbox"/> 422 APPEAL	<input type="checkbox"/> 400 STATE
<input type="checkbox"/> 120 MARINE	<input type="checkbox"/> 315 AIRPLANE PRODUCT	<input type="checkbox"/> 365 MED MALPRACTICE	<input type="checkbox"/> 820 FOOD & DRUG	<input type="checkbox"/> 28 USC 158	<input type="checkbox"/> REAPPORTIONMENT
<input type="checkbox"/> 130 MILLER ACT	<input type="checkbox"/> 320 LIABILITY	<input type="checkbox"/> 365 PERSONAL INJURY	<input type="checkbox"/> 825 DRUG RELATED	<input type="checkbox"/> 423 WITHDRAWAL	<input type="checkbox"/> 410 ANTITRUST
<input type="checkbox"/> 140 NEGOTIABLE	<input type="checkbox"/> 320 ASSAULT, LIBEL &	<input type="checkbox"/> 365 PRODUCT LIABILITY	<input type="checkbox"/> SEIZURE OF	<input type="checkbox"/> 28 USC 157	<input type="checkbox"/> 430 BANKS & BANKING
<input type="checkbox"/> INSTRUMENT	<input type="checkbox"/> SLANDER	<input type="checkbox"/> 368 ASBESTOS PERSONAL	<input type="checkbox"/> PROPERTY		<input type="checkbox"/> 450 COMMERCE/CC
<input type="checkbox"/> 150 RECOVERY OF	<input type="checkbox"/> 330 FEDERAL	<input type="checkbox"/> INJURY PRODUCT	<input type="checkbox"/> 21 USC 881		<input type="checkbox"/> RATES/ETC
<input type="checkbox"/> OVERPAYMENT &	<input type="checkbox"/> EMPLOYERS'	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 830 LIQUOR LAWS		<input type="checkbox"/> 460 DEPORTATION
<input type="checkbox"/> ENFORCEMENT OF	<input type="checkbox"/> LIABILITY		<input type="checkbox"/> 840 RR & TRUCK		<input type="checkbox"/> 470 RACKETEER INFLU-
<input type="checkbox"/> JUDGMENT	<input type="checkbox"/> 340 MARINE	PERSONAL PROPERTY	<input type="checkbox"/> 850 AIRLINE REGS	<input type="checkbox"/> 820 COPYRIGHTS	<input type="checkbox"/> ENCED & CORRUPT
<input type="checkbox"/> 151 MEDICARE ACT	<input type="checkbox"/> 345 MARINE PRODUCT	<input type="checkbox"/> 370 OTHER FRAUD	<input type="checkbox"/> 860 OCCUPATIONAL	<input type="checkbox"/> 830 PATENT	<input type="checkbox"/> ORGANIZATION ACT
<input type="checkbox"/> 152 RECOVERY OF	<input type="checkbox"/> LIABILITY	<input type="checkbox"/> 371 TRUTH IN LENDING	<input type="checkbox"/> SAFETY/HEALTH	<input type="checkbox"/> 840 TRADEMARK	<input type="checkbox"/> (RICO)
<input type="checkbox"/> DEFAULTED	<input type="checkbox"/> 350 MOTOR VEHICLE	<input type="checkbox"/> 380 OTHER PERSONAL	<input type="checkbox"/> OTHER		<input type="checkbox"/> 480 CONSUMER CREDIT
<input type="checkbox"/> STUDENT LOANS	<input type="checkbox"/> 355 MOTOR VEHICLE	<input type="checkbox"/> PROPERTY DAMAGE	LABOR	SOCIAL SECURITY	<input type="checkbox"/> 490 CABLE/SATELLITE TV
<input type="checkbox"/> (EXCL VETERANS)	<input type="checkbox"/> 360 PRODUCT LIABILITY	<input type="checkbox"/> 385 PROPERTY DAMAGE	<input type="checkbox"/> 710 FAIR LABOR	<input type="checkbox"/> 881 MIA (1395FF)	<input type="checkbox"/> 810 SELECTIVE SERVICE
<input type="checkbox"/> 153 RECOVERY OF	<input type="checkbox"/> INJURY	<input type="checkbox"/> PRODUCT LIABILITY	<input type="checkbox"/> STANDARDS ACT	<input type="checkbox"/> 882 SLACK LUNG (923)	<input type="checkbox"/> 850 SECURITIES/
<input type="checkbox"/> OVERPAYMENT OF			<input type="checkbox"/> LABOR/MGMT	<input type="checkbox"/> 883 DIWC (405(g))	<input type="checkbox"/> COMMODITIES/
<input type="checkbox"/> VETERANS BENEFITS			<input type="checkbox"/> RELATIONS	<input type="checkbox"/> 883 DIWW (405(g))	<input type="checkbox"/> EXCHANGE
<input type="checkbox"/> 160 STOCKHOLDERS SUITS			<input type="checkbox"/> 730 LABOR/MGMT	<input type="checkbox"/> 884 SSID TITLE XVI	<input type="checkbox"/> 875 CUSTOMER
<input type="checkbox"/> 190 OTHER CONTRACT			<input type="checkbox"/> REPORTING &	<input type="checkbox"/> 885 RSI (405(g))	<input type="checkbox"/> CHALLENGE
<input type="checkbox"/> 195 CONTRACT PRODUCT			<input type="checkbox"/> DISCLOSURE ACT		<input type="checkbox"/> 12 USC 3410
<input type="checkbox"/> LIABILITY			<input type="checkbox"/> RAILWAY LABOR ACT	FEDERAL TAX SUITS	<input type="checkbox"/> 891 AGRICULTURE ACTS
<input type="checkbox"/> 198 FRANCHISE			<input type="checkbox"/> OTHER LABOR	<input type="checkbox"/> 870 TAXES	<input type="checkbox"/> 892 ECONOMIC
	ACTIONS UNDER STATUTES	PRISONER PETITIONS	<input type="checkbox"/> 791 EMPL RET INC	<input type="checkbox"/> 871 IRS-THIRD PARTY	<input type="checkbox"/> STABILIZATION ACT
REAL PROPERTY	CIVIL RIGHTS		<input type="checkbox"/> SECURITY ACT	<input type="checkbox"/> 20 USC 7609	<input type="checkbox"/> 893 ENVIRONMENTAL
<input type="checkbox"/> 210 LAND CONDEMNATION	<input type="checkbox"/> 441 VOTING	<input type="checkbox"/> 510 MOTIONS TO			<input type="checkbox"/> MATTERS
<input type="checkbox"/> 220 FORECLOSURE	<input type="checkbox"/> 442 EMPLOYMENT	<input type="checkbox"/> VACATE SENTENCE			<input type="checkbox"/> 894 ENERGY
<input type="checkbox"/> 230 RENT LEASE &	<input type="checkbox"/> 443 HOUSING	<input type="checkbox"/> 20 USC 2255			<input type="checkbox"/> ALLOCATION ACT
<input type="checkbox"/> EJECTMENT	<input type="checkbox"/> 444 ACCOMMODATIONS	<input type="checkbox"/> 530 HABEAS CORPUS			<input type="checkbox"/> FREEDOM OF
<input type="checkbox"/> 240 TORTS TO LAND	<input type="checkbox"/> 445 WELFARE	<input type="checkbox"/> 535 DEATH PENALTY			<input type="checkbox"/> INFORMATION ACT
<input type="checkbox"/> 245 TORT PRODUCT	<input type="checkbox"/> 445 AMERICANS WITH	<input type="checkbox"/> 540 MANDAMUS & OTHER			<input type="checkbox"/> APPEAL OF FEE
<input type="checkbox"/> LIABILITY	<input type="checkbox"/> DISABILITIES -	<input type="checkbox"/> 550 CIVIL RIGHTS			<input type="checkbox"/> DETERMINATION
<input type="checkbox"/> 290 ALL OTHER	<input type="checkbox"/> EMPLOYMENT	<input type="checkbox"/> 555 PRISON CONDITION			<input type="checkbox"/> UNDER EQUAL ACCESS
<input type="checkbox"/> REAL PROPERTY	<input type="checkbox"/> 446 AMERICANS WITH				<input type="checkbox"/> TO JUSTICE
	<input type="checkbox"/> DISABILITIES -OTHER				<input type="checkbox"/> 850 CONSTITUTIONALITY
	<input type="checkbox"/> 440 OTHER CIVIL RIGHTS				<input type="checkbox"/> OF STATE STATUTES
					<input type="checkbox"/> 880 OTHER STATUTORY
					<input type="checkbox"/> ACTIONS

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE KOETL DOCKET NUMBER 08-cv-8914

Check YES only if demanded in complaint
JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(SEE REVERSE)

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court
AND at least one party is a pro se litigant

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[]	[]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[]	[]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[]	[]
CITIZEN OF ANOTHER STATE	[]	[]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[]	[]	FOREIGN NATION	[]	[]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

INFORMAL NOTEHOLDER GROUP
C/O AKIN GUMP STRAUSS HAUSER & FELD LLP
ONE BRYANT PARK
NEW YORK, NY 10036

ATTN: ABID QURESHI

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

LEHMAN BROTHERS HOLDINGS, INC.
LB745 LLC
C/O WEIL GOTSHAL & MANGES LLP
767 FIFTH AVENUE
NEW YORK, NY 10153

ATTN: HARVEY MILLER

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

INTERESTED PARTY:

OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF LEHMAN BROTHERS HOLDINGS, INC., et al.,
C/O MILBANK, TWEED, HADLEY & McCLOY LLP
1 CHASE MANHATTAN PLAZA
NEW YORK, NY 10005
Attn: Dennis Dunne

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ FOLEY SQUARE
(DO NOT check either box if this a PRISONER PETITION.)

DATE

SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[x] YES (DATE ADMITTED Mo. 12 Yr. 1999)
Attorney Bar Code #

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

J Michael McMahon, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Attachment A

Plaintiff/Appellants

Informal Noteholder Group

Defendants/Appellees

Lehman Brothers Holdings, Inc.
LB745 LLC

Cause of Action

This appeal is filed pursuant to 28 U.S.C. Section 158 to appeal entry of the *Order under 11 §§ U.S.C. 105(a), 363, and 365 and Federal Rules of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (A) the Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases*, entered on September 20, 2008